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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,214	03/26/2004	Lisa M. Fisher	204111-1 (5024-00337)	8398
26753 7590 10/11/2007 ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 EAST WISCONSIN AVENUE, SUITE 1100 MILWAUKEE, WI 53202			EXAMINER PANNALA, SATHYANARAYAN R	
			ART UNIT 2164	PAPER NUMBER
			MAIL DATE 10/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/810,214

Applicant(s)

FISHER ET AL.

Examiner

Sathyanarayan Pannala

Art Unit

2164

All participants (applicant, applicant's representative, PTO personnel):

(1) Sathyanarayan Pannala.

(3) _____.

(2) Christopher M. Scherer.

(4) _____.

Date of Interview: 04 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 14 and 22.

Identification of prior art discussed: Bianco et al. (USPA Pub. 2002/0082865A1) and Miyamoto (Japan Patent JP02002027386A).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed rejection under U.S.C. 101 and prior art rejection under U.S.C. 103(a). Examiner suggested how to overcome 101 rejection. No agreement was reached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

SATHYANARAYAN PANNALA
PRIMARY EXAMINER

ANDRUS, SCEALES, STARKE & SAWALL, LLP
A WISCONSIN LIMITED LIABILITY PARTNERSHIP
Intellectual Property Law
100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone (414) 271-7590
Facsimile (414) 271-5770

FACSIMILE TRANSMISSION	
Date: October 3, 2007	No. of Pages: <u>3</u> (including this cover page)
To: Examiner Sathyanarayan Pannala	From: Christopher M. Scherer
Facsimile No. 571-273-4115	
Our Ref: 201111-1 (5024-00337)	
If transmission is incomplete or illegible, please telephone, fax or telex immediately.	
Message: Please see the attached Applicant Initiated Interview Request Form.	
<u>The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message and all copies thereof to us by mail at our expense. Thank you.</u>	

PTOL-413A (09-04)
Approved for use through 07/31/2008. OMB 0861-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/810,214 First Named Applicant: Lisa M. Fisher
Examiner: Sathyarayan Pannala Art Unit: 2164 Status of Application: Non-Final Rejection

Tentative Participants:

(1) Examiner Pannala (2) Christopher M. Scherer
(3) _____ (4) _____

Proposed Date of Interview: October 4, 2007 Proposed Time: 2:00 (AM/PM) PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej. §101</u>	<u>1-25</u>	<u>Not Applicable</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej. §103</u>	<u>1</u>	<u>Bianco/Miyamoto</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

The Applicants respectfully thank the Examiner for agreeing to interview this matter. With respect to the Rejection under 35 U.S.C. §101, the Applicants wish to discuss with the Examiner how the Applicants should amend the independent claims 1, 14 and 22 such that the Examiner believes the claims recite functional descriptive material and not a computer program per se.

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Christopher M. Scherer
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Christopher M. Scherer
Typed/Printed Name of Applicant or Representative

50,655
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant Initiated Interview Request Form (Continuation Sheet)

Application No.: 10/810,214 First Named Applicant: Lisa M. Fisher
 Examiner: Sathyanarayan Pannala Art Unit: 2164 Status of Application: Non-Final Rej.

Issues to be Discussed (Continued)

Issues	Claims/ Fig. #'s	Prior Art	Discussed	Agreed	Not Agreed
(5) _____	_____	_____	[]	[]	[]
(6) _____	_____	_____	[]	[]	[]
(7) _____	_____	_____	[]	[]	[]
(8) _____	_____	_____	[]	[]	[]
(9) _____	_____	_____	[]	[]	[]
(10) _____	_____	_____	[]	[]	[]

Continuation of Brief Description of Arguments to be Presented:

The Applicants respectfully submit that the Applicants believe that claims 1 and 14 are not computer programs per se, but that the Applicants would consider and provide to the Examiner some proposed amendments to the independent 22. Furthermore, the Applicants wish to respectfully point out that while the Examiner indicated that claim 10 was also being rejected, that the Examiner provided no basis for rejection of the same. With respect to the Rejection under 35 U.S.C. §103 the Applicants wish to discuss the Independent claim 1 in light of the Bianco and Miyamoto references. The Applicants wish to discuss the system and method of the present application, and suggest to the Examiner possible claim amendments to distinguish over these cited references. Again, the Applicants respectfully thank the Examiner for his time attention in this matter.